

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2009-434-T - ORDER NO. 2009-835  
DECEMBER 22, 2009

IN RE: Application of Angelo Frank Sudano d/b/a	)	ORDER GRANTING
I.T.S., 1212 Jumper Trail Circle, Myrtle	)	REQUEST FOR WAIVER
Beach, South Carolina 29588 (District 1) for	)	OF MARKINGS
a Class C (Charter) Certificate of Public	)	
Convenience and Necessity	)	

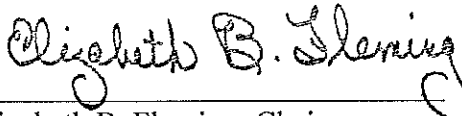
This matter comes before the Public Service Commission of South Carolina (“Commission”) on a request by Angelo Frank Sudano d/b/a I.T.S. to waive the requirement of S.C. Code Ann. Regs. 103-153 (Supp. 2008) that regulates motor carriers display markings. Regulation 103-153 requires that a carrier’s name, or trade name, place of principal office, and PSC I.D. number appear on both sides of a vehicle in letters and figures not less than three (3) inches high. By Directive on November 19, 2009, the Commission denied Sudano’s request. On November 20, 2009, Sudano filed for reconsideration, and on December 15, 2009 he asked for an extension until February 3, 2010 to comply with Commission regulations. The Office of Regulatory Staff opposes granting a waiver.

In his Petition for Reconsideration, Sudano offers additional details regarding his business plan, and argues that the display requirements for vehicle markings will prevent him from pursuing his business plan to offer secure and private transportation. Although he is opposed to marking the sides of his vehicle, Sudano does state a willingness to display a decal on the front windshield and display the proper license plate.


For these reasons and the particular facts of the record in this Docket, we grant Sudano's request for a waiver of S.C. Code Ann. Regs. 103-153. The proper decal shall be displayed on the front windshield, and the proper license plate shall be used. Additionally, Sudano has until February 3, 2010 to comply with all other applicable statutes and the Commission's Rules and Regulations. No motor carrier services shall be offered to the public prior to compliance.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

  
Elizabeth B. Fleming, Chairman

ATTEST:

  
John E. Howard, Vice Chairman  
(SEAL)